

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TEXTRON INNOVATIONS INC.,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 05-486 (GMS)
)	
)	JURY TRIAL DEMANDED
)	
THE TORO COMPANY,)	
)	
Defendant.)	

NOTICE OF SERVICE OF SUBPOENA DUCES TECUM

PLEASE TAKE NOTICE pursuant to Rules 34 and 45 of the Federal Rules of Civil Procedure defendant has served or will serve a subpoena duces tecum on Jerry Pate Turf & Irrigation, Inc., 4250 Boulder Ridge Drive SW, Atlanta, GA, 30336-2690. The subpoena and accompanying schedule of document requests are attached hereto at Exhibit A and were served on October 20, 2006, upon the following counsel of record at the following addresses in the manner indicated:

VIA ELECTRONIC MAIL

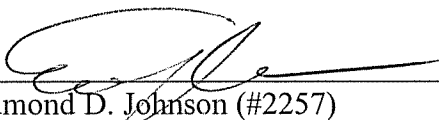
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This Notice serves as formal notice of the deposition informally noticed on October 20, 2006.

Dated: October 23, 2006

THE BAYARD FIRM



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